

# Exhibit 18

## SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

## PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

0279-11-C1UUG3-42143

1. LOCATION Ft. Stewart GA 31314	2. DATE (MM/DD/YY) 10 Jul 12	3. TIME 1240 AF	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME Faltysek, Alyssa marie	6. SSN [REDACTED]	7. GRADE/STATUS E-3 / AD	
8. ORGANIZATION OR ADDRESS HHC 2HBCT, FSGA			

9. Alyssa N Faltysek, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I met Isaac Aguirre in 2010 when he came to Ft. Huachuca for AIT. I then processed him into Charlie Company 305th. At the time when I met him he was considering a divorce from his wife ~~Doreen~~<sup>Dr. doree</sup>. He thought that she was cheating on him while he was in basic. Shortly after I met him I got transferred to Delta company 305th and I didn't see him again until I got to Ft. Stewart in October 2010. He was throwing a party at his house for all his friends from AIT that got stationed here and that was when I met ~~Doreen~~<sup>Dr. doree</sup>. At first we really didn't talk, she was really shy, we started talking after everyone left, me and my husband stayed to help clean up. We started coming around more to hang out with Isaac and me and ~~Doreen~~<sup>Dr. doree</sup> started to slowly become friends. In January 2011 Isaac & ~~Doreen~~<sup>Dr. doree</sup> started to have problems again & she kicked him out.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT <i>XH</i>	PAGE 1 OF <u>11</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF Alyssa M Faltysek TAKEN AT FSGA DATED 10 Jul 12

9. STATEMENT (Continued)

0279-11-C1D093-42143

I don't know if she kicked him out because he was doing drugs or if he started after but I know he was on drugs while he was kicked out. The only way she would let him back in was if he was clean. In March 2011 both me & Deirdre found out we were pregnant and this brought us closer together. She was really excited because she had been trying for years, in Feb. 2011 she told me that she was getting ready to make an appointment with a fertility doctor to find out if she could even have children. April 2011 we found out that our babies were due on the same day, and from that point on me and Deirdre were inseparable. Me & my husband were at her house every night it seemed and we would text each other all through out the day. Me, my husband, and Deirdre would take turns taking each other out to dinner or cooking for each other. When she was on staff duty on the weekends we would go keep her company or even bring her what she was craving that day. About May 2011, maybe late April, Deirdre decided to let Isaac move back in. That's when Mike was around all the time, Deirdre hated him and the way he treated her. He took Isaac out to strip clubs and out drinking all the time, they both started smoking spiz & Deirdre and Isaac fought about it constantly. Isaac started to become easy to anger and

INITIALS OF PERSON MAKING STATEMENT

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PAGE 2 OF 11 PAGES

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STATEMENT OF Alyssa Maltysch TAKEN AT FSGA DATED 10 JUL 12 <sup>HR</sup>

9. STATEMENT (Continued)

0279-11-C10693-42143

during this time she confided in me. <sup>AF</sup> The biggest thing they fought about was the baby. For a while Mike had Isaac <sup>AF</sup> convinced that the baby was not his, it had to be some else's because Isaac was kicked out of the house when Deirdre got pregnant & they had only had sex once during that time. This I know for a fact is not true because when me and my husband were not at Deirdre's Cheryl <sup>AF</sup> & Jason <sup>AF</sup> Mancil were, they had just PCSed here from Germany & Deirdre was watching their Dog till they got a house, or she was on staff duty. After one of these fights Deirdre told me and my husband that <sup>AF</sup> <sup>AF</sup> she wanted to file for divorce because he didn't trust her & the only reason that she wouldn't was because of the baby. We tried to convince her that that should not be the reason that she stayed but her mind was made up & she wouldn't listen. About July 10th last year was the last time I saw <sup>AF</sup> Deirdre. I was about to leave for Texas for my baby shower and the night before we left we went to her house. <sup>AF</sup> I dropped off the cat food for our cat hung out at the house for about an hour then took her out to dinner. That was the last time I saw her, the next morning I had my ultra sound to find out the sex of my baby and she told me "You better tell me <sup>AF</sup> what it is before you even leave this post <sup>AF</sup> or I will never forgive

INITIALS OF PERSON MAKING STATEMENT AF

PAGE 3 OF 11 PAGES

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STATEMENT OF

Alyssa M. Fletcher

TAKEN AT FSGA

DATED

10 Jul 12

9. STATEMENT (Continued)

0279-11-C1UUG3-42143

you." Other than the picture she ~~sent~~ sent me of her & my cat the last I heard from her was when she text me saying "Hurry up and post on face book I want to be the first to congratulate you on your princess!!! WE spent 2 weeks in ~~the~~ Texas on the way back I got a call from Isaac asking where we were and if we could pick up our cat. When I told him we were in Louisiana and asked if every thing was ok in the calmest voice he said "Oh you don't know. Promise to stay calm before I tell you." After I promised, still very calm "D's dead." I ask what happened and he told me that they had sex & afterwards she went out to the living Room & he ~~the~~ took a nap ~~in~~ in the bed. When he woke up she wasn't breathing. After D's death things got really weird. He started blowing ~~the~~ threw the ~~money~~ money going to strip clubs, drinking, spice, bringing home strippers, throwing parties. He disappeared with Mike for one weekend and no one could get a hold of him. ~~My~~ My husband ~~etc~~ called the MP's stating we didn't know where he was, we hadn't heard from him, and that he told us he was only going to be gone a couple of hours. Once him & Mike finally got back Isaac was pissed and told Mr. my husband, ~~etc~~ Cheryl & Jason to just leave him alone if and

INITIALS OF PERSON MAKING STATEMENT

DA FORM 2823, NOV 2006

PAGE 4 OF 11 PAGES

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STATEMENT OF

Alyssa M Fabbisch

TAKEN AT

FSGA

DATED

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9. STATEMENT (Continued)

0279-11-610093-42143

when he wanted us around <sup>AF</sup> he would contact us. That was the last we heard from him. AF

INITIALS OF PERSON MAKING STATEMENT

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PAGE 5 OF 11 PAGES

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STATEMENT OF Alyssa FALTYSEK

9. STATEMENT (*Continued*)

Q: KAPINUS

A: FALTYSEK

TAKEN AT: FSGA

DATED: 10 Jul 12

0279-11-C1D093-42143

Q: Did you hand write the above narrative in your own words?

A: Yes.

Q: Do you know Samantha COX?

A: The name sounds familiar, but I'm not sure.

Q: I understand she is a civilian and has no military affiliation. Do you know if he was involved with a girl outside of the military?

A: I know he was talking to a girl by the name of Samantha, and SGT AGUIGUI did not like it.

Q: Was this while he was at FSGA?

A: Yes.

Q: Did PVT AGUIGUI express to you while at AIT why he thought his wife was unfaithful?

A: The biggest reason was because he noticed a sexual interest in her had changed.

Q: Explain please.

A: She was deployed while we were at AIT, and was redeployed because she broke her leg. She was a linguist and something happed outside the wire and she jumped out of the vehicle and broke her leg. Or something close to that. He was able to go from basic training to Christmas Exodus then right to AIT. While he was home on Exodus, SGT AGUIGUI was home too. He noticed that her sexual interests had changed, in that she was more interested in sexual things that she was never had been before. PVT AGUIGUI thought that it was because she was having an affair with another guy down range. Apparently this guy was open with his sexuality and PVT AGUIGUI assumed they were having an affair.

Q: Do you know who the guy was?

A: No.

Q: Was SGT AGUIGUI ever pregnant other than the pregnancy you two shared at the same time?

A: No. In fact she had a hard time getting pregnant. I remember in December she was gathering paperwork to go off post to a fertility doctor.

Q: So January was when SGT AGUIGUI kicked her husband out of the house?

A: Yes.

Q: Did SGT AGUIGUI ever walk in on PVT AGUIGUI with another woman?

A: No. If she did she never told me about it. Her sex life was something she was very closed about.

Q: On that note, did she discuss any sexual activities with her or anyone else?

A: The only time she only ever talked about it was when me and my husband were helping her clean her house and we found a few sex toys. She became embarrassed and walked out. But we all laughed about it later on.

Q: Did she discuss any type of bondage or handcuffs or leg restraints etc?

A: Those were some of the toys we found.

Q: Where were the handcuffs when you saw them?

A: The master bedroom on the ground near the left side in a box or bucket.

Q: What about other restraints?

A: Same location.

Q: Did you witness any restraints under the bed or affixed to the bed?

A: No.

Q: Did SGT AGUIGUI keep a clean house or disorderly one?

A: She generally kept a clean house, but when SCHAEFER started coming over it became out of hand. If anything she would try to keep the kitchen, living room and bathrooms clean because that was where everyone

PAGE 6 of 11

INITIALS AF

EXHIBIT: 57

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DATE: 10 Jul 12

*AF*

## STATEMENT OF Alyssa FALTYSEK

TAKEN AT: FSGA

9. STATEMENT (*Continued*)usually hung out. The bedroom she didn't pay much attention to. **0279-11-C1D093-42143**

Q: How about her bed, was it usually made?

A: It was usually unmade and the pillows were on it. Every once in a while you would see a cat or the cat's toy.

Q: How about the widows or the blinds inside the bedroom?

A: She always had the drawn down and the curtains partially closed.

Q: In the master bedroom?

A: Yes. I remember because they were blue sheer, like you could see through them but they were not lace.

Q: When was the last time you saw those?

A: She was still pregnant. I think Isaac was somewhere. Me and SGT AGUIGUI went into the bedroom and talked because she was afraid Isaac was doing drugs again. This was after she let him back in the house. I would say June 2011. I remember because we both fell asleep on the bed after talking.

Q: What about the blinds in the living room?

A: She usually had them draw up slightly for the cat to sit.

Q: Do you recall a lamp in the corner near the couch?

A: Yes.

Q: Was it always upright or leaning?

A: It was always upright, which was where she kept all the spare pillows for the pull out bed.

Q: Where the cats rowdy?

A: My cat was because he was a wild cat.

Q: Did he disturb the blinds?

A: My cat liked to bat at them but never pull them down.

Q: Did you see your cat do this at the AGUIGUI's house?

A: Usually what they tried to do was keep my cat in the spare bedroom because there cat didn't like my cat. There cat was very calm.

Q: Where you aware that SGT AGUIGUI had any medical conditions?

A: I know she was slightly anemic and diabetic because of the pregnancy.

Q: Did she tell you what her symptoms were?

A: She said she was tired all of the time, more than usual. I told her to go get her iron check because I am anemic myself. She did get it check and she was advised by her doctor to take iron supplement. She said she did not want to take medication, and would rather eat spinach or broccoli.

Q: Was she health conscious or not?

A: She was a little bit. But not to the point she was over the top. If she ate chunk food she would only eat it in moderation.

Q: Did she hate banana?

A: No! She loved them and I would always see her with one during meals. Bananas and yogurt she loved as a snack.

Q: Any allergies?

A: Not that I know of.

Q: Did she ever tell you she passed out in the house or the commissary?

A: No.

Q: She ever complain about her leg?

A: She did have leg cramps all of the time, and that was another reason she ate bananas was because of the potassium.

PAGE 7 of 11

INITIALS AFEXHIBIT: 57

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DATE: 10 Jul 12

STATEMENT OF Alyssa FALTYSEK

TAKEN AT: FSGA

9. STATEMENT (*Continued*)

Q: Did she ever tell you she was deficient in potassium?

0279-11-CID093-42143

A: No. She just knew it helped with leg cramps.

Q: Did she ever tell you she wanted to take potassium iodide?

A: No she hated taking medication. She only took Tylenol PM and her prenatal because she had to.

Q: Why did she hate SCHAEFER?

A: He's a rude sexist pig. He was very rude to her, he tried to convince the baby was not Isaac's. He kept telling her that once she had the baby she could start right away and have another one. She was not interested in that. He convinced Isaac that if she was not interested in having more kids than the baby was not his. He actually had Isaac convinced the baby was not his.

Q: Did PVT AGUIGUI tell you he didn't think it was his?

A: He asked us if his wife had anyone over other than us. Just asking if she was cheating on him. PVT SCHAEFER was rude and inconsiderate. PVT SCHAEFER ordered her around her own house telling her he needed to make dinner for him and Isaac or breakfast. She needed to clean the house. He slowly took to over the house.

Q: Was SCHAEFER living there?

A: Pretty much. He was always over there. And when she let Isaac back in and then thought he was doing drugs again he would always have to leave the house after a phone call. SCHAEFER would go with him. They told us they were investigating a case with CID.

Q: Did you guys believe that?

A: At that point we didn't know what to believe from them.

Q: How was PVT AGUIGUI to his wife?

A: At first he was really sweet to her, but the more he hung out with PVT SCHAEFER he became more rude, inconsiderate and mean.

Q: Any drugs in the house?

A: Spice. Isaac and SCHAEFER always smoked in the house. Almost every night. I do remember SGT AGUIGUI taking a couple of hits. I never saw it effect her. After halfway through her pregnancy I remember her telling him to smoke it outside because she hated the smell.

Q: Did SGT AGUIGUI smoke or drink?

A: She had a couple of hits off my cigarette once in a while, and would drink red wine every once in a while too.

Q: When was the last time you saw her smoke Spice?

A: She was probably four and a half months along, so around May or June time frame.

Q: Did she sleep on the couch or have a certain spot she usually sat?

A: She did take naps on the couch and liked laying on it because it helped her back from the pregnancy.

Q: When was the last time you were at their residence?

A: The day before we left, around the 9<sup>th</sup> of July. We dropped off our cat and the cat litter, stayed for a while. Then we (me, my husband and SGT AGUIGUI) went to eat at the Hibachi Buffet. She had raw sushi, like three pieces. Then we dropped her off and stayed a while longer then left. The next day I left for Texas.

Q: Can you remember the sushi?

A: I don't eat sushi so no.

Q: How do you know it was raw?

A: The color.

Q: Was it shrimp or crab or fish?

A: I don't know. I do know she would eat shrimp every once in a while. She had a bag in the freezer. She

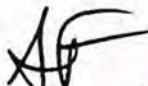
PAGE 8 of 11

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EXHIBIT: 57

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STATEMENT OF Alyssa FALTYSEK

9. STATEMENT (Continued)

TAKEN AT: FSGA

DATED: 10 Jul 12

liked making fettuccini alfredo with shrimp and broccoli.

0279-11-010093-42143

Q: Do you know what side of the bed SGT AGUIGUI slept on?

A: The one closest to the door, and Isaac slept near the window.

Q: Who primarily used the computer in the living room?

A: Isaac mostly. He would look up porn and music. I know SCHAEFER used it too.

Q: Did you ever witness marks on SGT AGUIGUI's wrists?

A: We asked her where they came from and she would just blush.

Q: Explain what they looked like?

A: They looked like handcuff marks.

Q: How did they look?

A: Just a small slight bruise. Never deep purple or bloody. Just a small mark.

Q: Did she ever tell you what they were?

A: No she just blushed.

Q: What do you think she mean?

A: When we noticed stuff like that she would get really shy. We figured it was from sexual activity.

Q: Did she ever file a Restricted Sexual Assault?

A: No. Not that I'm aware of.

Q: I allowed you to review photographs of SGT AGUIGUI's wrists and their injuries. Were these consistent with what you witnessed?

A: No. It was never to that degree. Not even close.

Q: When you saw these photos tell me what you thought?

A: I've never seen her that beat up. I've seen her in her bathing suit during pregnancy pt and never witnessed bruises like that on her arms or wrists.

Q: Did SGT AGUIGUI ever tell you her husband struck her?

A: No. However, there was one time that my husband and I were there and Isaac and Deirdre got in an argument. Isaac raised his hand and before he hit her my husband got and grabbed him by the back of the shirt and threw him against the wall. SCHAEFER was there too, and he tried to get my husband off of Isaac, so my husband was holding both Isaac and SCHAEFER.

Q: What was the argument about?

A: After the incident we kind of black out. We don't play that game so we didn't even bother finding out.

Q: What did PVT AGUIGUI do after that?

A: He was terrified. He then went on the porch to smoke. I told Deirdre get beside be by the couch.

Q: When was this?

A: June maybe July.

Q: Did SGT AGUIGUI talk about PVT AGUIGUI being kicked out of the Army and taking employment somewhere else?

A: They talked about it all of the time. That was the reason he wanted to open up his own security agency. He had been talking about doing that since AIT. It was just something he was interested in. I understood was being kicked out for drugs.

Q: What did SGT AGUIGUI think of the security business?

A: She supported him 100%.

Q: Do you know anything about West Point?

A: I know they got kicked out for sexual contact between the two.

PAGE 9 of 11

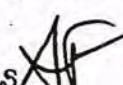
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DATE: 10 Jul 12



STATEMENT OF Alyssa FALTYSEK

9. STATEMENT (Continued)

Q: Do you know about FEAR?

A: Never heard of it.

Q: Did PVT AGUIGUI ever tell you about any extremist organizations or gangs or groups he wanted to join or be a part of?

A: Wait. I think that was the abbreviation for his security company. Yes. In fact that was the shirt Isaac and SCHAEFER wore every time they were security jobs-around hotels and malls. Every time they went out on a job they wore that shirt.

Q: What did it look like?

A: It was gray t-shirt. Just ordinary.

Q: Do you know what it stood for?

A: No.

Q: Did he ever try to recruit you?

A: He tried to recruit my husband. Isaac said they wanted my husband to help during a small concert. My husband stated he would think about it, but they never followed through.

Q: Did they work at hotels?

A: I don't know. I never went with them.

Q: Did SGT AGUIGUI know about this?

A: We all thought it was legit, that he was pulling guard somewhere.

Q: What about PVT AGUIGUI's interest in weapons?

A: He loved collecting weapons. Most of them were in Seattle with his family.

Q: Do you know what kind they had?

A: No. She liked handguns, he like rifles.

Q: Do you know PVT SALMON?

A: Not sure.

Q: Did SGT AGUIGUI discuss any depression with you?

A: No.

Q: I just showed you a picture of their bedroom the night of the incident. Did anything stick out in your mind?

A: The window blinds are disturbed. The pillows were normally at the head of the bed. The fitted sheet was up on her side. The leg braces I've never seen on the bed, but I do remember seeing clips on her side of the bed in between the mattress and box spring. I would assume those were the restraints. The curtains are not on the window either or the bar to hold them up. Isaac's side had a bowl, and she never allowed any eating in the room unless he was in trouble. If she didn't want to see him she would let him eat in the bedroom. The clothes on the floor near her closet was normal.

Q: Did PVT AGUIGUI ever cook for her, or was he known to cook for her?

A: He would barbecue or make fast food stuff. She was the one that made dinners.

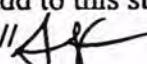
Q: A review of SGT AGUIGUI's cell phone revealed a picture of a cat. Do you know about this?

A: Yes. She sent the picture to me of my cat when I was going to Texas. This was the 15<sup>th</sup> of Jul.

Q: The dog they were babysitting, did it scratch at the porch door often?

A: When he was outside too long. Isaac would just keep him outside. Isaac wanted the dog outside all of the time.

Q: Do you have anything else to add to this statement?

A: No.//END OF STATEMENT//

PAGE 10 of 14

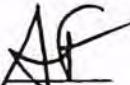
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STATEMENT OF Alyssa FALTYSEK  
9. STATEMENT (Continued)

TAKEN AT FSGA

DATED: 10 Jul 12

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Not USED  
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AFFIDAVIT

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I, Alyssa FALTYSEK, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 11. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

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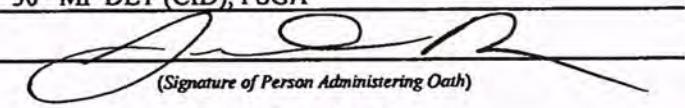
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(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10th day of July, 2012  
at 30<sup>th</sup> MP DET (CID), FSGA

  
(Signature of Person Administering Oath)

SA Justin J. Kapinus

(Type Name of Person Administering Oath)

10 USC 936

(Authority To Administer Oath)

PAGE 11 of 11

INITIALS 

EXHIBIT: 57